

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

SUSAN FULBRIGHT,)	
)	
)	
Plaintiff,)	
)	
v.)	No. 05-0698-CV-W-DW
)	
MUTUAL OF OMAHA, et al.,)	
)	
)	
Defendants.)	

ORDER

Before the Court is the parties' Stipulation of Dismissal Without Prejudice (Doc. 26). The parties stipulate and agree to dismiss all claims in the above-captioned cause of action asserted by or against any party hereto without prejudice. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii), the Court dismisses the above-captioned action without prejudice. The costs and expenses associated with this action shall be borne by the parties individually.

Accordingly, the Court DENIES as moot the parties' various pending motions: (1) Motion to Dismiss by Defendant Hartford Life and Accident Insurance Company (Doc. 10); (2) Motion to Dismiss by Defendants Community Health Group, Menorah Hospital, Lee's Summit Hospital, and Margaret Poole (Doc. 12); (3) Motion for Partial Summary Judgment by Defendant Mutual of Omaha (Doc. 14); and (4) Motion for Remand by Plaintiff (Doc. 25). This case is closed.

IT IS SO ORDERED.

/s/ DEAN WHIPPLE
Dean Whipple
United States District Court

Date: October 18, 2005